

## **AGENDA**

### **BOARD OF MAYOR AND ALDERMEN**

**August 3, 2004**

**7:30 PM  
Aldermanic Chambers  
City Hall (3<sup>rd</sup> Floor)**

1. Mayor Baines calls the meeting to order.
2. The Clerk calls the roll.
3. Presentation by representatives of Manchester's Latino community relative to the Latino Festival being held on August 21, 2004.
4. Presentation regarding potential acquisition of JacPac site.

### **CONSENT AGENDA**

5. Mayor Baines advises if you desire to remove any of the following items from the Consent Agenda, please so indicate. If none of the items are to be removed, one motion only will be taken at the conclusion of the presentation.

### **Approve under supervision of the Department of Highways**

- A. PSNH Pole Petition #11-1005 located on So. Jewett Street;  
PSNH Pole Petition #11-1014 located on So. Porter Street;  
PSNH Pole Petition #11-1016 located on Brown Avenue; and  
Verizon Pole Petition #9AAR07 located on So. Main Street.

**Informational – to be Received and Filed**

- B.** Communication from the Finance Officer submitting information regarding the City's auditors plan and overall approach for the City's June 30, 2004 audit.
- C.** Minutes of the Mayor's Utility Coordinating Committee meeting held on July 21, 2004.
- D.** Minutes of MTA Commission meeting held on June 29, 2004 and the Financial and Ridership Reports for the month of June 2004.
- E.** Communication from the Teen Arts Center Advisory Group and the Office of Youth Services expressing their gratitude to the Board for its donation toward the Teen Art Auction held on June 8, 2004.
- F.** Communication from the NH Department of Environmental Services advising of the issuance of a state permit to operate (FP-S-0240) to the City of Manchester Wastewater Treatment Facility.
- G.** Communications from the NH Department of Environmental Services advising of a public hearing to be held on August 12, 2004 relative to a draft State Water Pollution Control Grant Program Project Priority List for fiscal years 2005 and 2006; a draft State Revolving Fund Project Priority List for fiscal years 2005 and a draft FY2005 Intended Use Plan.
- H.** Copy of a communication from the US Department of the Interior providing comments to the Federal Energy Regulatory Commission's Scoping Document 1 for the Merrimack River Project by PSNH.
- I.** Communication from Lloyd Basinow relative to his opinion that the fluoridation referendum question requires that a public hearing be held.  
**(Note: Solicitor's opinion that the City is not required to hold a public hearing enclosed.)**
- J.** Copy of a communication from Comcast advising of a PEG Access payment in the amount of \$22,235.87 inadvertently omitted from January through December of 2003.
- K.** Communication from the Theo Family wishing to extend their appreciation to the Board for its renaming of Manhattan Lane to Harry Theo Lane.

## **REFERRALS TO COMMITTEES**

### **COMMITTEE ON FINANCE**

**L.** Resolution:

“Amending the FY2003 Community Improvement Program, transferring, authorizing and appropriating funds in the amount of One Hundred Thousand Dollars (\$100,000) for FY2003 CIP 610403 Downtown Municipal Infrastructure Project.”

## **REPORTS OF COMMITTEES**

### **COMMITTEE ON ACCOUNTS, ENROLLMENT AND REVENUE ADMINISTRATION**

- M.** Recommending that the 4<sup>th</sup> quarter FY2004 write-off list for the accounts receivable module be approved.
- N.** Advising that it has accepted the City’s Monthly Financial Statements for the twelve months ended June 30, 2004 for FY2004 submitted by the Finance Department, and is forwarding same to the Board for informational purposes.
- O.** Advising that it has accepted the audit status update report submitted by the Finance Department, and is forwarding same to the Board for informational purposes.
- P.** Advising that it has accepted the following Finance Department reports:
- a) department legend;
  - b) open invoice report over 90 days by fund;
  - c) open invoice report all invoices for interdepartmental billings only;
  - d) open invoice report all invoices due from the School Dept. only;
  - e) listing of invoices submitted to City Solicitor for legal determination; and
  - f) accounts receivable summary.
- and is forwarding same to the Board for informational purposes.

- Q.** Advising that it has accepted a report from the Committee on Community Improvement recommending that a policy for Fleet Management/Motorized Equipment be approved, with the recommendation that it be adopted.

#### **COMMITTEE ON ADMINISTRATION/INFORMATION SYSTEMS**

- R.** Recommending that the Information Systems Director be authorized to execute an agreement with the City of Rochester, NH allowing for the acquisition and use of software developed by the city of Manchester, NH for Dog Licensing, as enclosed herein.
- S.** Recommending that language for a proposed charter amendment relating to primary elections be submitted to the Board.  
(Note: language enclosed.)
- T.** Recommending that language for a proposed charter amendment relating to the internal auditor be submitted to the Board by the City Solicitor's Office.  
(Note: language to be submitted under separate cover.)

#### **COMMITTEE ON COMMUNITY IMPROVEMENT**

- U.** Recommending that a request for a sewer abatement for property located at 135 Cedar Street be granted and approved in the amount of \$261.95, as recommended by the Environmental Protection Division.
- V.** Recommending that a request for a sewer abatement for property located at 99 Middle Street not be granted. The Committee notes that the Environmental Protection Division does not recommend abatement because the water entered the sewer system through a floor drain.
- W.** Advising that it has approved the recommendations for the FY2005 Motorized Equipment Replacement money, as attached, be approved.
- X.** Advising that they have approved a request from the Highway Department for a new license plate for a sewer jet trailer.

### **COMMITTEE ON HUMAN RESOURCES/INSURANCE**

- Y.** Advising that it has approved Ordinance:  
“Amending Sections 33.024, 33.025, & 33.026 (City Coordinator) of the Code of Ordinances of the City of Manchester.”  
providing for a new position at a labor grade 28, non-exempt, and is recommending same be referred to the Committee on Bills on Second Reading for technical review.
- Z.** Advising that it has approved Ordinance:  
“Amending Section 33.025 (Assistant to the Assessors) of the Code of Ordinances of the City of Manchester.”  
providing for change in salary grade, and is recommending same be referred to the Committee on Bills on Second Reading for technical review.

### **COMMITTEE ON LANDS AND BUILDINGS**

- AA.** Recommending that the Board of Mayor and Aldermen find property located at 398 Hanover Street surplus to City needs and further that:

In accordance with RSA 80:80 the Mayor be authorized to dispose of certain property situated on Hanover Street known as Map 289, Lot 15 by executing deeds releasing all rights, title interest, or claims in said property. Said property formerly owned by Gerald Parker, Trustee, was acquired by the City of Manchester by virtue of Tax Collector's deed dated April 17, 1996 and recorded in Hillsborough County Registry of Deeds on April 23, 1996, in Volume 5711, Page 0078.

The Committee advises that it finds just cause to dispose of such land through sale to an abutter because it has minimal road frontage of 35 feet, considered residual/unbuildable, and serves no practical public purpose. The Committee requested letters of interest/bids from all abutters.

The Committee recommends that said property be offered for sale to the only abutters who responded to the bidding, John H. Gadd and Rose Halen of Manchester, at a price of \$6,170.00, which was the bid received. Such price of \$6,170.00 has been deemed a reasonable value by the Board of Assessors.

The Committee further recommends that the Tax Collector and City Solicitor be authorized to proceed with disposition and prepare such documents as may be required, and that the Finance Officer be authorized to credit tax deed accounts as deemed necessary. To accommodate such disposition, a draft ordinance has been submitted for referral to the Committee on Bills on Second Reading.

- AB.** Recommending that the Board of Mayor and Aldermen find property located on Michigan Avenue surplus to City needs and further that:

In accordance with RSA 80:80 the Mayor be authorized to dispose of certain property situated on Michigan Avenue known as Map 0246, Lots 0001 by executing deeds releasing all rights, title interest, or claims in said property. Said property formerly owned by Outlook Co., was acquired by the City of Manchester by virtue of Tax Collector's deed dated September 8, 1995 and recorded in Hillsborough County Registry of Deeds on September 8, 1995, in Volume 5655, Page 0403.

The Committee advises that it finds just cause to dispose of such land through sale to an abutter because it is landlocked, is considered residual/unbuildable, and serves no practical public purpose. The Committee requested letters of interest/bids from all abutters.

The Committee recommends that said property be offered for sale to the only abutters who responded to the bidding, Matthew and Elizabeth Pinkos of 288 Beaver Street, at a price of \$3,000.00, which was the bid received. Such price of \$3,000.00 has been deemed a reasonable value by the Board of Assessors.

The Committee further recommends that the Tax Collector and City Solicitor be authorized to proceed with disposition and prepare such documents as may be required, and that the Finance Officer be authorized to credit tax deed accounts as deemed necessary. To accommodate such disposition, a draft ordinance has been submitted for referral to the Committee on Bills on Second Reading.

- AC.** Recommending that the Board of Mayor and Aldermen find property located off Old Wellington Road and Bridge Street Extension surplus to City needs and further that:

The Mayor be authorized to dispose of certain unnamed property situated off Old Wellington Road and Bridge Street Extension west of Map 0605, Lots 0015 by executing deeds releasing all rights, title interest, or claims in said property. Said property acquired by the City of Manchester from the State of New Hampshire via Quitclaim Deed in 1982.

The Committee advises that it finds just cause to dispose of such land through sale to the only direct abutter having access to the property since it has limited access right-of-way pursuant to agreements with the State of New Hampshire Department of Transportation. Therefore, the property would not be constituted a buildable lot or serve any public purpose.

The Committee recommends that said property be offered for sale to the only direct abutter, Lloyd Chipman of 166 Old Wellington Road, at a price of \$500.00. Such price of \$500.00 has been deemed a reasonable value by the Board of Assessors.

The Committee further recommends that the Tax Collector and City Solicitor be authorized to proceed with disposition and prepare such documents as may be required. Such sale shall be contingent upon notification to the State of New Hampshire, Department of Transportation for their concurrence on the adjustment of the limited access right-of-way for Interstate 93, to be overseen by the office of the City Solicitor.

**AD.** Recommending that in accordance with RSA 80:42 and/or 80:80 the Mayor be authorized to dispose of certain properties executing deeds relating all rights, title interest or claims in said property as follows:

- I. Property situated at Page Street known as Map 0246, Lots 0003, 0006 and 0007

Said property formerly owned by Outlook Co. c/o Samuel C. Tarrant was acquired by the City of Manchester by virtue of Tax Collector's deed dated April 28, 1972 and recorded in the Hillsborough County Registry of Deeds on April 28, 1972, Volume 2208, Page 0273.

- II. Property situated at Michigan Avenue

Said property formerly owned by Outlook Co. c/o Samuel C. Tarrant was acquired by the City of Manchester by virtue of Tax Collector's deed dated February 27, 1973 and recorded in the Hillsborough County Registry of Deeds on March 1, 1973, Volume 2208, Page 0313.

III. Property situated at Michigan Avenue

Said property formerly owned by William H. Wheeler was acquired by the City of Manchester by virtue of Tax Collector's deed dated July 12, 1917 and recorded in the Hillsborough County Registry of Deeds on October 11, 1917, Volume 0756, Page 0138.

The Committee recommends that said properties be disposed of through public auction with a minimum bid to be set at \$10,000. The Board of Assessors has provided an opinion of value in the range of \$5,000 to \$10,000.

The Committee further recommends that the Tax Collector and City Solicitor be authorized to proceed with disposition and prepare such documents as may be required, and that the Finance Officer be authorized to credit tax deeded accounts as deemed necessary.

**LADIES AND GENTLEMEN, HAVING READ THE CONSENT AGENDA, A MOTION WOULD BE IN ORDER THAT THE CONSENT AGENDA BE APPROVED.**

6. Communication from Southern NH Planning Commission advising that the term of Alderman Henry R. Thibault, as one of Manchester's representatives to the Commission expired on June 30, 2004.

**Ladies and Gentlemen, what is your pleasure?**

7. Nominations to be presented by Mayor Baines, if available.
8. Mayor Baines advises that a motion is in order to recess the regular meeting to allow the Committee on Finance to meet.
9. Mayor Baines calls the meeting back to order.



## **OTHER BUSINESS**

10. Report(s) of the Committee on Finance, if available.  
**Ladies and Gentlemen, what is your pleasure?**
  
11. Request of the City Clerk that a public hearing be scheduled for Tuesday, September 7, 2004 at 5:00 PM in the Aldermanic Chambers for the purpose of hearing those wishing to comment on the proposed Charter amendment relative to the School District becoming a department of the City.  
**Ladies and Gentlemen, what is your pleasure?**
  
12. Communication from the Deputy City Clerk submitting, on behalf of Chief Jaskolka, a return of the Warrant for Non-Renewal of Dog License pursuant to RSA 466:16.  
**Ladies and Gentlemen, what is your pleasure?**
  
13. Communication from Attorney Richard Fradette requesting the Board issue a building permit for 180 and 192 Watts Street.  
**Ladies and Gentlemen, what is your pleasure?**
  
14. Bond Resolutions: **(A motion is in order to read by titles only.)**  
  
    “Authorizing, Bonds, Notes or Lease Purchases in the amount of One Million Six Hundred Thousand Dollars (\$1,600,000) for the 2005 CIP 411305, South Main Street Fire Station Rehabilitation Project.”  
  
    “Authorizing, Bonds, Notes or Lease Purchases in the amount of Two Million Four Hundred and Ten Thousand Dollars (\$2,410,000) for the 2005 CIP 510005, Park Facilities Improvement Program.”  
  
    “Authorizing, Bonds, Notes or Lease Purchases in the amount of Two Million Five Hundred Thousand Dollars (\$2,500,000) for the 2005 CIP 710005, Major Fleet Upgrades Project.”

“Authorizing, Bonds, Notes or Lease Purchases in the amount of One Million Seven Hundred and Ten Thousand Dollars (\$1,710,000) For the 2005 CIP 710205, Public Works Infrastructure Project.”

“Authorizing, Bonds, Notes or Lease Purchases in the amount of Two Hundred Eighty Thousand Dollars (\$280,000) for the 2005 CIP 710905, Parking & Traffic Improvements Project.”

“Authorizing Bonds, Notes or Lease Purchases in the amount of Six Million Eighty Thousand Dollars (\$6,080,000) for the 2005 CIP 711105, CSO-Phase 1 (Bremer Street) Project.”

“Authorizing Bonds, Notes or Lease Purchases in the amount of One Million Dollars (\$1,000,000) for the 2005 CIP 711205, Replace Sludge Dewatering Equipment Project.”

“Authorizing Bonds, Notes or Lease Purchases in the amount of One Million Dollars (\$1,000,000) for the 2005 CIP 711405, WSPS – Roof/HVAC/Piping Project.”

“Authorizing, Bonds, Notes or Lease Purchases in the amount of Four Million Four Hundred Forty Thousand Dollars (\$4,440,000) for the 2005 CIP 811405, Building Improvements Project.”

“Authorizing, Bonds, Notes or Lease Purchases in the amount of One Million Six Hundred Ninety Thousand Dollars (\$1,690,000) for the 2005 CIP 811505, Information/Public Safety Upgrades Project.”

**A motion is in order that the Bond Resolutions pass and be enrolled.**

**15. Bond Resolution: (A motion is in order to read by title only.)**

“Authorizing, Bonds, Notes or Lease Purchases in the amount of Two Hundred Fifty Thousand Dollars (\$250,000) for the 2005 CIP 811305, Revaluation Update Project.”

(Note: Discussion relative to tax year 2006 revaluation requested by Alderman Porter.)

**A motion is in order that the Bond Resolution pass and be enrolled.**

**16. Resolution: (A motion is in order to read by title only.)**

“Amending the FY2003 Community Improvement Program, transferring, authorizing and appropriating funds in the amount of One Hundred Thousand Dollars (\$100,000) for FY2003 CIP 610403 Downtown Municipal Infrastructure Project.”

**A motion is in order that the Resolution pass and be enrolled.**

**17. NEW BUSINESS**

- a) Communications
- b) Aldermen

**18. Communication from the Chief Negotiator requesting to meet with the Board for a negotiation strategy session.**

**A motion is in order to recess the meeting to meet with the Chief Negotiator.**

**19. Mayor Baines calls the meeting back to order.**

**20. If there is no further business, a motion is in order to adjourn.**